

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 5216 of 2015 (O/M)
Date of decision : 17.8.2015

Municipal Corporation, Tohana

..... Revisionist

Versus

Shanti Lal and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ajay Bhardwaj, Advocate, for the revisionist.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 12.5.2015, passed by the Additional Civil Judge (Senior Division), vide which the amendment of the plaint was allowed.

During the course of arguments, the learned counsel has produced the original copy of suit as well as copy of the proposed plaint. The perusal of the same shows that the plaintiff (respondent No. 1 herein) has filed a suit for declaration to the effect that he is the owner of the house in dispute. The permanent injunction was also sought for restraining the defendants/revisionists from

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interfering in the peaceful possession of said house. It is claimed by the plaintiff/respondent No. 1 that during the pendency of suit, the defendants have illegally and forcibly encroached upon his land after demolishing his house. Therefore, he seeks relief of possession alongwith compensation for the same.

Learned counsel for the revisionist contends that that the application of the plaintiff/respondent No. 1 for grant of temporary injunction was declined and that the amendment has been allowed after the plaintiff/respondent No. 1 obtained four effective opportunities to lead the evidence. Now, a new case is being set up.

I am of the view that if some developments have taken place during the pendency of the suit, the plaintiff/respondent No. 1 is always at liberty to incorporate the same. The truth of the averment is yet to be established during the trial. Therefore, there is no illegality or infirmity in the impugned order. Consequently, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

17.8.2015
sjks